

**CITY OF WEST DES MOINES  
DEVELOPMENT AND PLANNING  
CITY COUNCIL SUBCOMMITTEE MEETING  
City Hall Training Room**

Monday, December 10, 2018

**Attending:**

Council Member John Mickelson  
City Manager Tom Hadden  
Deputy City Manager Jamie Letzring  
City Attorney Richard Scieszinski  
Development Coordinator Linda Schemmel  
Building Official Rod Van Genderen

Principal Engineer Ben McAlister  
Planner Brian Portz  
Planner Kara Tragesser  
Planner Brad Munford  
Planner Karen Marren

The meeting of the Development and Planning City Council Subcommittee was called to order at 8:00 am.

**1. Bulk Regulations Ordinance Amendments**

Development Coordinator Linda Schemmel outlined proposed changes to the Bulk Regulations ordinance as applies to residential and commercial properties. Changes include:

- Incorporating setback and separation requirements that change based on the building size of residential and accessory buildings,
- Updating residential building types and regulations,
- Reformatting the chapter to provide clarity,
- Correcting conflicting information,
- Bringing consistency to regulations,
- Evaluation and adjustment of regulations that have been subject to variance requirements

See attached PowerPoint for details. She noted that these changes are to clean up the language and clarify some portions of the code which are unclear, and that optimizing residential bulk regulations is one of the suggested policy changes included in the Housing Needs Assessment to enable more affordable housing.

Council Member Mickelson asked how the changes would be communicated to developers. Ms. Schemmel responded that staff will communicate the changes directly to developers and engineering firms, and a “cheat sheet” will be created for the website and public counter.

*Direction: Council Member Mickelson was supportive of the proposed changes.*

**2. Definitions and Regulations for Second Dwelling Units**

Development Coordinator Linda Schemmel detailed the amendment proposal for second dwelling units, noting that this is driven by the Housing Needs Assessment, and provides details lacking in the current ordinance regarding setbacks, separations, and defining principal or accessory use. Staff are proposing adding this use as a permitted condition in additional zoning districts, which will require site plan review by the Plan & Zoning Commission and Council to ensure requirements for parking, sewer and utilities are being met.

Council Member Mickelson asked whether a homeowner could rent their garage out as a second dwelling space. Ms. Schemmel replied that they could not, the garage must function as a garage as part of the requirement for the primary dwelling. Staff are considering allowing additional height to be

constructed above a garage which might allow a second dwelling above it. Separate sewer and utility connections would be required and remodeling a single family home into a duplex would not be allowed.

Council Member Mickelson asked what the parking requirements would be. Ms. Schemmel responded with the current primary dwelling requirements, and stated that the second dwelling requirements may be based on one parking space per bedroom. Whether on-street parking is available or allowed would factor into the requirements for the lot. Council Member Mickelson asked whether the second dwelling would be required to have a garage. Ms. Schemmel affirmed that under the current ordinance, one would be required.

*Direction: Council Member Mickelson was supportive of increasing the zoning districts allowing second dwelling units as a permitted conditional use; and continuing to develop regulatory conditions of approval.*

### **3. Upcoming Projects – A map was provided with a brief description of each.**

- a. Browns Woods Estates (Generally SW of Browns Woods Dr and Veterans Pkwy): Final Plat property into 29 single-family lots, one outlot for future 46 single-family lots, one outlot for storm water detention, and three public street lots (FP-004149-2018)
- b. Steak and Shake (815 S 51<sup>st</sup> St): Clarify Support Commercial boundaries (CPA-004148-2018 & ZC-004152-2018)
- c. Jordan West Plat 3, Lot 2 (370 Jordan Creek Parkway) Construction of an approximately 15,000 square foot household appliance store (OSP-004150-2018)
- d. 5940 PUD (SE corner of 60<sup>th</sup> Street & University Ave): Amend PUD to increase allowable building height from 60' to 76' to accommodate Iowa Clinic expansion (ZC-004159-2018)
- e. Club 214 (214 5<sup>th</sup> St): Permitted Conditional Use request to Board of Adjustment to allow 1,700sf event venue (PC-004151-2018)

### **4. Minor Modifications & Grading Plans**

- a. 105 14<sup>th</sup> Street: Installation of roof-top solar panels (MML1-004141-2018)
- b. WDM Public Services (8850 Grand Ave): Relocation of water main to avoid conflicts with Microsoft job trailers (MML2-004144-2018)

### **5. Other Matters**

- a. 2019 Meeting Schedule – Council Member Mickelson requested that the Development and Planning Subcommittee schedule align with the approved 2019 Council Meeting schedule to be voted upon December 10, 2018.

The meeting adjourned at 8:37 am. The next regularly scheduled Development and Planning City Council Subcommittee is December 26, 2018.

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Linda Schemmel, Development Services Coordinator

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Jennifer Canaday, Recording Secretary

# Bulk Regulations Ordinance Amendment

## Modifications to Title 9 (Zoning), Chapter 7 (Setback and Bulk Density Regulations)

- These changes are intended to update city code related to bulk regulations for commercial and residential development within the City. Changes include:
  - Incorporating setback and separation requirement that change based on the building size of residential and accessory buildings,
  - Updating residential building types and regulations,
  - Reformatting the chapter to provide clarity,
  - Correcting conflicting information,
  - Bringing consistency to regulations,
  - Evaluation and adjustment of regulations that have been subject to variance requests.
- Varying building setbacks and building separations for multi-family buildings based on building bulk was discussed at the February 25, 2016, Development and Planning City Council Subcommittee in response to several multi-family development developers requesting reduced separation requirements, and to eliminate “penalties” for smaller multi-family buildings that are required to comply with the same separation requirements as larger multi-family buildings. The Subcommittee was supportive of the changes
- Optimizing Residential Bulk Regulations is one of the suggested policy changes included in the Housing Needs Assessment as a way to allow developments to move actual developed density closer to allowed density, distributing land costs over more units.

# Residential Bulk Regulations

- Added regulations and clarifications for building setbacks (i.e. building projections, window wells, HVAC equipment).
- Term of “attached single family” is removed, all attached units are now considered multi-family.
- Allow detached townhomes (postage stamp lots) condominium or land lease ownership in most single family districts. Intent is to allow additional ownership methods in single family that can facilitate cluster development and possibly reduce single family housing costs with less land associated with unit. These developments will need to comply with the same maximum density as traditional development in the same zoning district.
- Postage stamps lot size will be defined by minimum and maximum setbacks and incorporation of outdoor living area into the lot boundary.
- New setback/building separation table has been developed for multi-family buildings. Different setbacks and separations have been established based on building size.
- Front yard setback in existing developed areas may be the average of the front yard depths of adjacent dwellings on the same side of the street. This can help with non-conforming setbacks in existing areas, allow new construction to match the existing context of the neighborhood and reduce variance requests.
- Valley Junction Historic Business district was added to the single family matrix to govern the existing single family uses in the district.

# Commercial Bulk Regulations

- Added regulations and clarifications for building setbacks (i.e. building projections, window wells, HVAC equipment).
- Provided for a reduced side and rear setback requirement for trash/mechanical enclosures and maintenance sheds to allow them to tuck further back into the site.

## Accessory Building Bulk Regulations

- Accessory structures in residential zoning districts will have different setbacks and separations based on building size.
- Front porches are allowed to encroach up to 8' into front yard setback as an incentive to help mitigate the garage dominate "snout house" look.
- Will no longer have different setbacks for attached accessory structures in residential districts. Exception: structures 30" high or less may use detached accessory structure setbacks.

# Other Title 9 Changes Related to Bulk Regulations

- In general: Removed definitions and terms related to single family attached, and detached single family.
- Added definitions related to accessory structures, building projections, cluster development, outdoor living and open space.
- Simplified description of Residential Medium and Residential High Density zoning districts.
- Added performance standards for Cluster Developments.
- Combined architectural design requirements for Medium and High Density zoning districts, with more specific information on materials and design strategies to lessen the plainness of appearance and large building mass characteristic of multi-family residential buildings and to minimize the dominant appearance of garages along the street.

# Second And Accessory Dwelling Units

The Housing Needs Assessment includes a policy change to allow a second dwelling unit on a parcel in residential areas (current code does allow for a second dwelling unit in addition to the principal dwelling in some residential districts). In review of a recent application for a second dwelling unit on a lot, staff noticed the allowed use of a second dwelling is lacking specific regulations. (Is it a principal or accessory use, what are the required setbacks and separations, etc.)

- Current zoning allows a second dwelling unit as a Permitted use in Open Space and Residential Estate zoning and as a Permitted Conditional use in Residential Single Family and Single Family Residential zoning.
- In reviewing the code, a second dwelling unit is not defined and performance standards or bulk regulations are not included. Also, there is no mention of second dwelling units in the accessory structures section. This leads staff to believe second dwelling units are intended to be a second principal building and use, not accessory.
- Accessory dwelling units are utilized by many cities as a way to provide affordable housing. They can take advantage of existing infrastructure and land to reduce housing costs, are smaller in nature, thus less costly to construct, and can offset housing costs for the principal dwelling owner by generating additional income. There is an opportunity in adding specific regulation for second dwelling units to create accessory dwelling units as a second category of these dwelling types, providing more options for affordable housing with a minimal impact to the residential context.

**Recommendation:** Define and add regulations for second dwelling units as a use, retain them in the current zoning districts. Consider allowing accessory dwelling units within residential zoning districts, defining and regulating them to keep them accessory in nature.

# Second Dwelling Units

## Definition

**Second Dwelling Unit (SDU):** An additional dwelling on a residential lot that is considered a principal use. These dwellings are independent structures, not part of or attached to the main dwelling and are not accessory in nature. The design, size and placement of the SDU shall conform to all applicable codes. The property owner must occupy either the main or second dwelling unit as their permanent residence. The SDU can be used as a rental, but cannot be sold separately from the main dwelling unit.

## Regulation

- Bulk regulations: Must meet the regulations as a principal use of a dwelling for the respective zoning district.
- Parking and Garage: Must meet the regulations as a principal use of a dwelling (two parking spaces, currently a minimum of a 1 ½ car garage). Both dwellings may share one drive to the street, however any required parking space for one dwelling may not block access to the other dwelling’s required parking space.

Zoning	OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH	VJHB
Second Dwelling Unit	P	P	Pc	Pc						



# Accessory Dwelling Units (proposed)

## Definition

**Accessory Dwelling Unit (ADU):** An additional dwelling on a residential lot that is accessory to the principal dwelling unit in terms of use, and is subordinate to the principal dwelling unit in gross floor area and placement on the lot. These dwellings are independent structures, not part of or attached to the principal dwelling. The design and size of the ADU shall conform to all applicable codes. The property owner must occupy either the principal unit or the ADU as their permanent residence. The ADU can be used as a rental, but cannot be sold separately from the principal or main single family residence.

Zoning	OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH	VJHB
Accessory Dwelling Unit	P	P	Pc	Pc	Pc	Pc				Pc

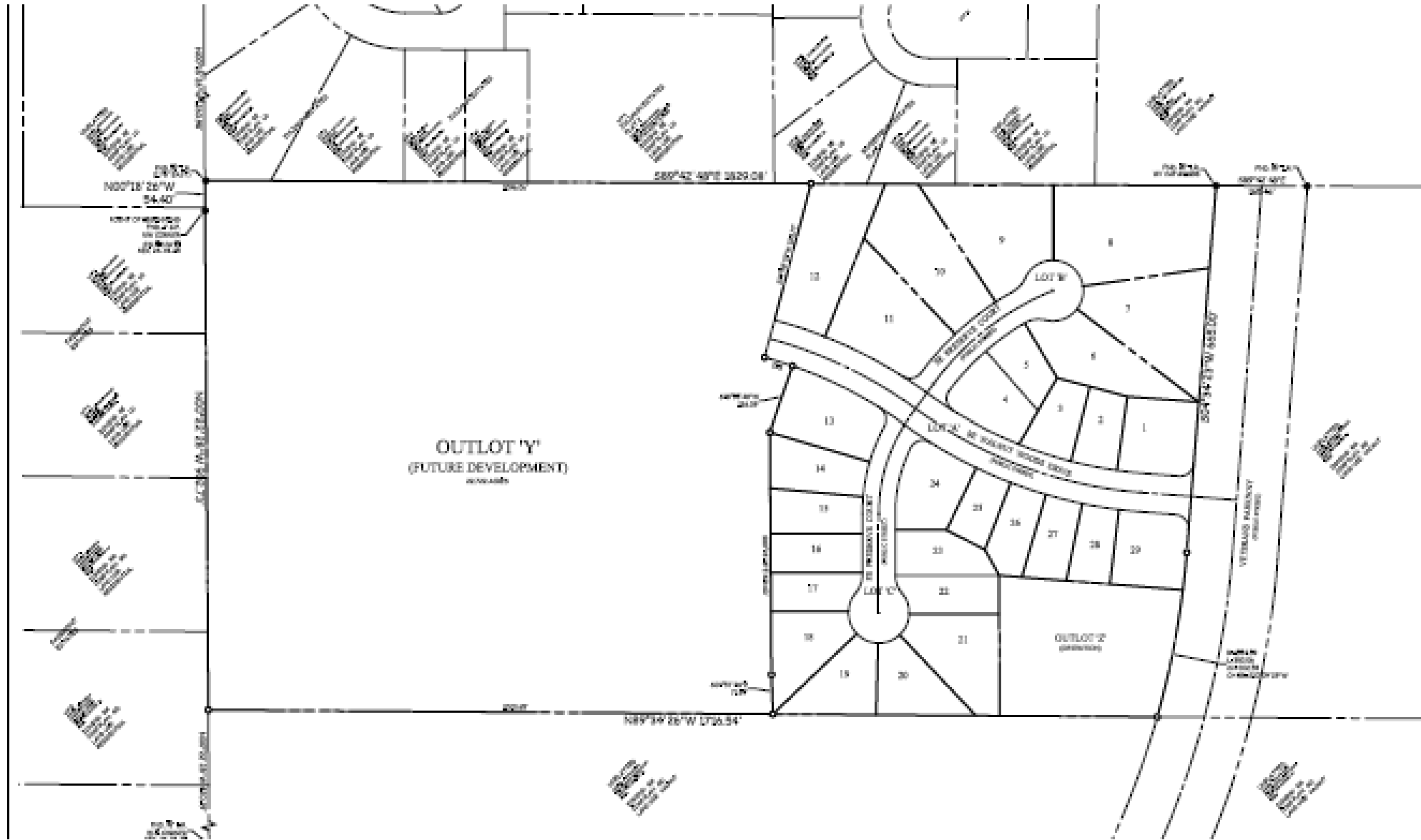
# Accessory Dwelling Units (proposed)

## Regulation

- Allowed number of units: Only one ADU allowed per SF residential parcel. Option: Number of principal/accessory dwelling units limited to the allowed density for the respective zoning district. (For example, R-1 has a maximum density of 5.8 du/acre, a 15,000 sf lot would be required for two dwelling units)
- Maximum size: No larger than 40% of the gross floor area of the principal dwelling. The floor area of an ADU is not included in the total lot area restriction for accessory buildings.
- Maximum height: maximum roof peak height of an ADU shall not exceed twenty feet (20'). An additional 1 foot of height is allowed for each additional 2 feet of setback up to a maximum of twenty six feet in height. Exterior walls supporting the roof shall not exceed twelve feet (12') in height as measured from grade.
- Front Yard setback: Must meet minimum setback for the respective zoning district and be located behind the front wall plane of the principal dwelling
- Side and Rear Yard setbacks: Follow accessory structure setbacks for the respective zoning district.
- Outdoor living space: No roof decks allowed. Outdoor living area associated with the ADU shall be orientated away from adjacent residential property.
- Parking and Garage: one space per bedroom, no requirement for covered parking. Both dwellings may share one drive to the street, however any required parking space for one dwelling may not block access to the other dwelling's required parking space. Option: Allow for on-street parking to meet parking requirement.
- Exterior Design: The design of the ADU shall be in keeping with the character of the zoning district it is located in, with comparable architectural design, materials and details to the principal residence including roof slope, overhangs, etc.



Browns Woods Estates



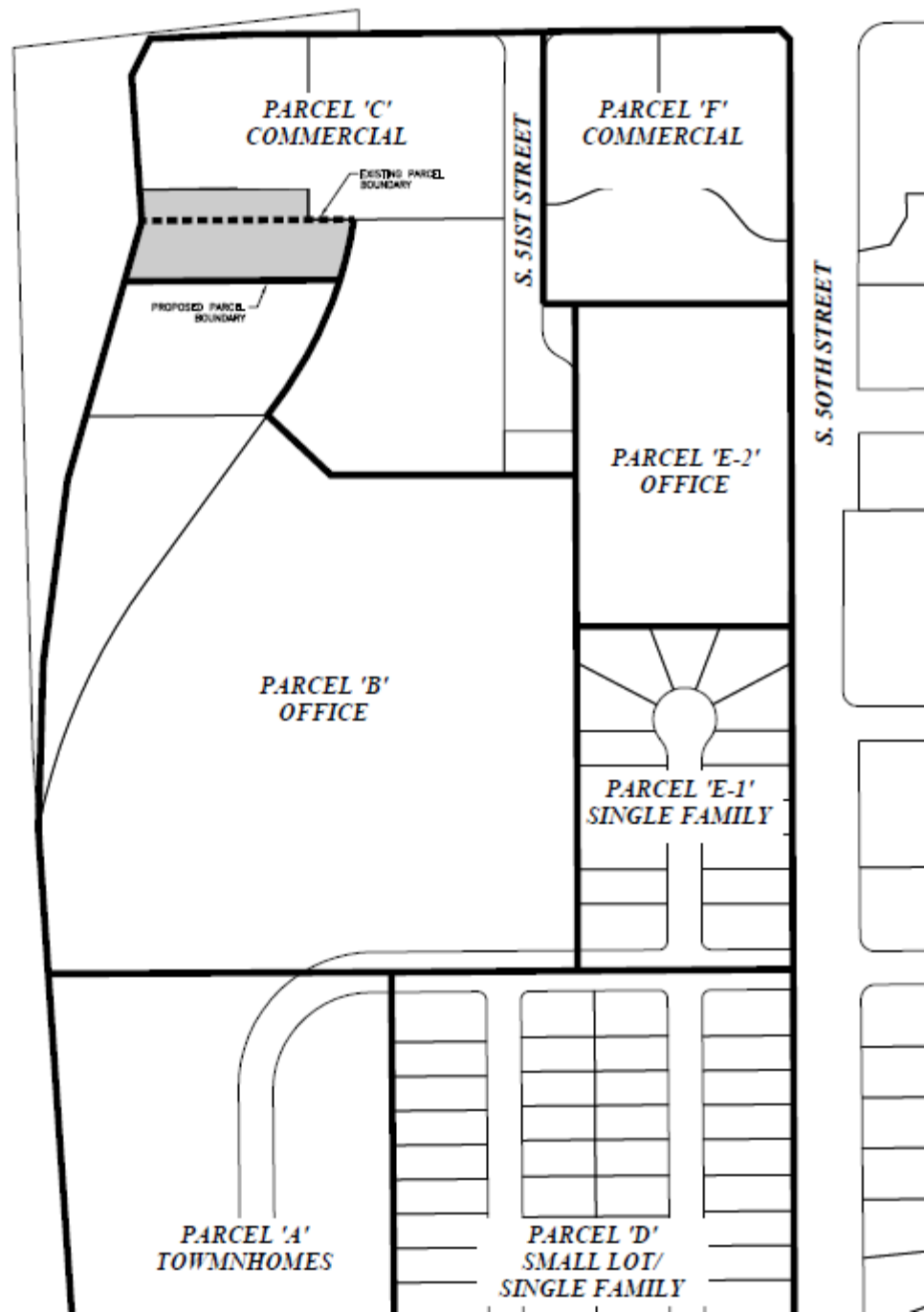




Wirtz PUD  
Steak N Shake

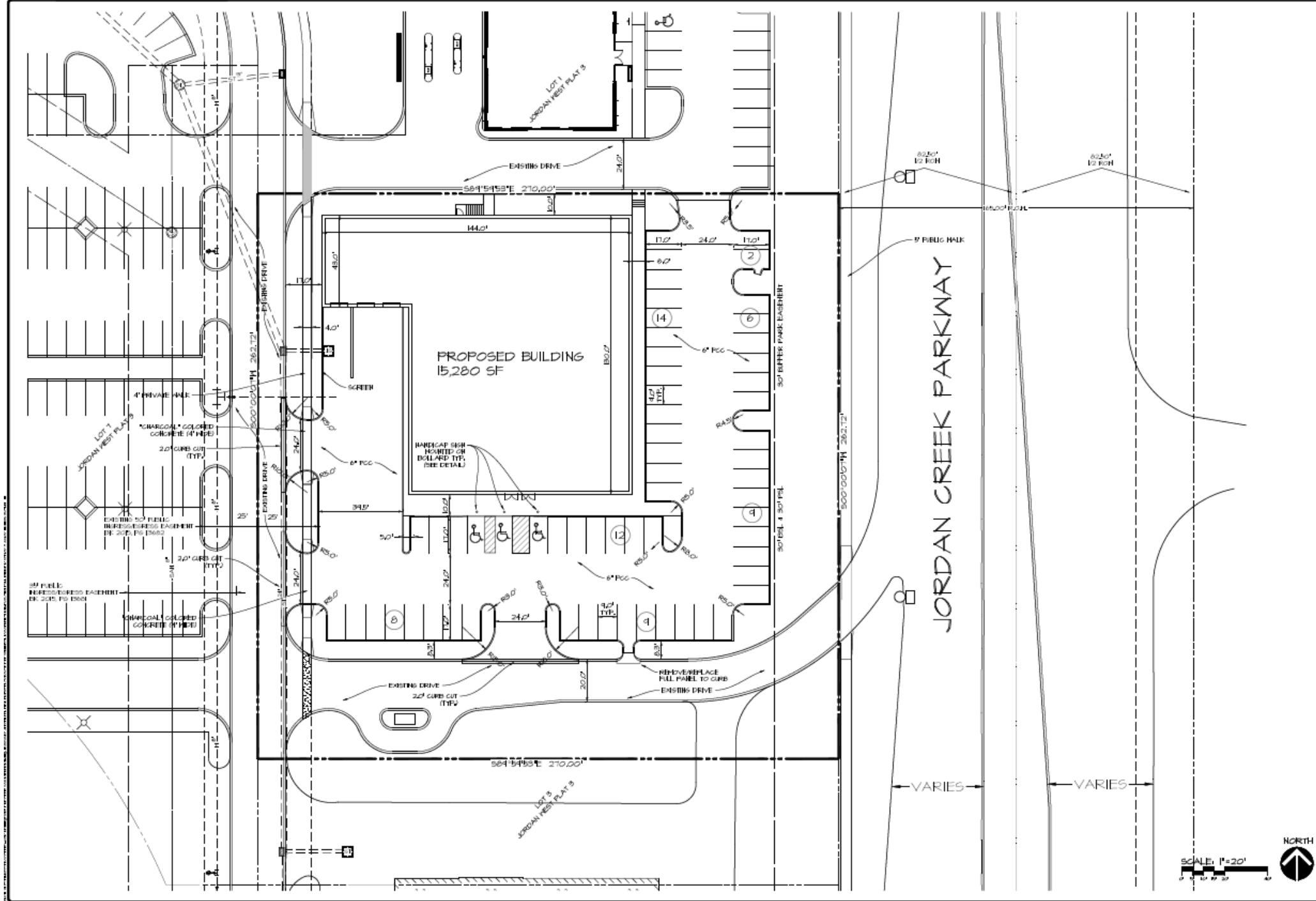
MILLS CIVIC PKWY

INTERSTATE 80/35









**LOT 2, JORDAN WEST PLAT 3**  
WEST DES MOINES, IOWA

**SHEET 2 OF 6**

**DIMENSION PLAN**

**CEC**  
Civil Engineering Consultants, Inc.

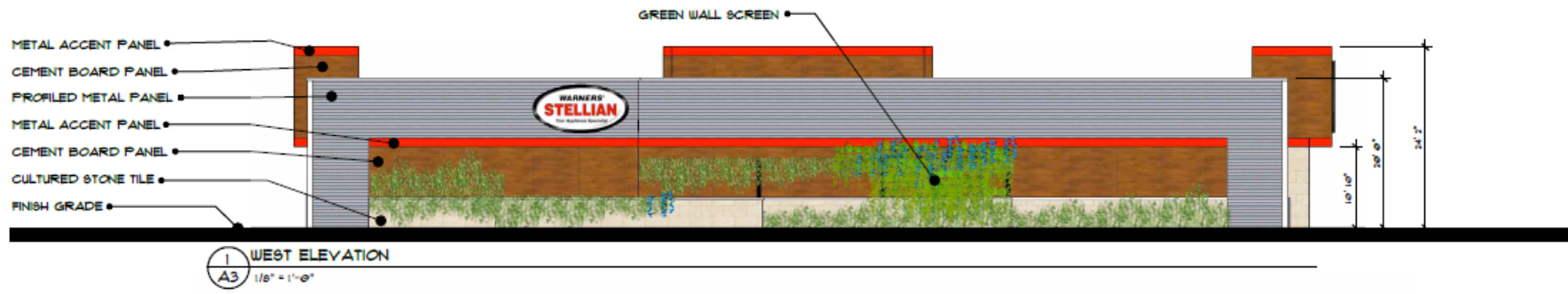
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DATE	REVISION	CONTENTS
11-28-18	1	1
	2	2
	3	3
	4	4
	5	5
	6	6

DATE OF SURVEY: 11/14/18  
DESIGNED BY: JHC  
DRAWN BY: JHC

DATE: 11-28-18  
REVISION: 1  
CONTENTS: 1





CONCEPT PLAN  
NOT FOR CONSTRUCTION







